



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Friedrich *et al.*

Application No.: 09/750,456 Group Art Unit: 1653

Filed: December 28, 2000 Examiner: Not Yet Assigned

Title: Novel Mutated Mammalian Cells and Animals

Attorney Docket No.: LEX-0286-USA

RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Notice to File Corrected Application Papers ("the present Notice") mailed February 4, 2002, in connection with the above-identified application, Applicants submit herewith: (i) a Verified Statement Concerning Sequence Listing Under 37 C.F.R. § 1.821(f); (ii) a Substitute Specification Under 37 C.F.R. § 1.52; and (iii) Substitute Drawings Under 37 C.F.R. § 1.84.

With the present Notice, Applicants were provided with a Withdrawal of Previously Sent Notice referring to the Notice of Incomplete Reply (Nonprovisional) dated November 7, 2001. The Notice of Incomplete Reply concerned materials that were sent by Applicants to the Patent and Trademark Office ("The Office") with the Response to Notice to File Missing Parts, dated April 3, 2001. These materials were received by The Office, as evidenced by the stamped return postcard received by Applicants. Therefore, the materials requested in the Notice of Incomplete Reply have been misplaced by The Office.

Furthermore, a timely filing of the Response to Notice of Incomplete Reply to prevent abandonment was impossible, as the Notice of Incomplete Reply was mailed after the final date set for response. These facts were confirmed during a telephone conference between Applicants' representative Mr. David Hibler and Customer Service Representative Ms. Stokes. During the telephone conference, Ms. Stokes indicated that the present Notice would be sent, and that the Notice of Incomplete

Reply dated November 7, 2001, should be disregarded, as confirmed by the Withdrawal of Previously Sent Notice. Therefore, Applicants are providing herewith the required items identified on the present Notice, which are copies of materials originally provided to the Office on August 2, 2001.

Applicants believe that no fees are due in connection with this response. However, the Commissioner is authorized to charge any required fee to Deposit Account No. 50-0892.

Respectfully submitted,

2/12/02
Date


Lance K. Ishimoto by David W. Hibbard Reg. No. 41,866
Lance K. Ishimoto

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24231

PATENT TRADEMARK OFFICE

Please type a plus sign (+) inside this box → 

PTO/SB.21 (08-00)

Approval for use through 10/31/2002 OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

number

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 45

Application Number 09/750,456

Filing Date Dec 28, 2000

First Named Inventor Friedrich, Glenn

Group Art Unit 1653


Examiner Name Not Yet Assigned

Attorney Docket Number LEX-0286-USA

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	- Return Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	- Response to Notice to File Corrected Application Papers
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	- Return Copy of Notice to File Corrected Application Papers
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	- Copy of Verified Statment re: Sequence Listing in CRF originally filed with Response to Missing Parts
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Substitute Specification = 21 pages Substitute Drawings = 2 drawings/18 pages total	- Substitute Specification with corrected margins
		- Substitute Drawings with corrected margins

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Lance K. Ishimoto, Reg. No. 41,866 Lexicon Genetics Incorporated	
Signature	<i>Lance K. Ishimoto by David W. Haber</i> DAVID W. HABER Reg. No. 41,011	24231 PATENT TRADEMARK OFFICE
Date	February 12, 2002	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date: February 12, 2002			
Typed or printed name	Michelle Klein		
Signature	<i>Michelle Klein</i>	Date	February 12, 2002

Burden Hour Statement. This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO Assistant Commissioner for Patents Washington, DC 20231



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20503
www.uspto.gov

APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/750,456	12/28/2000	Glenn Friedrich	LEX-0286-USA

Lance K. Ishimoto
Lexicon Genetics Incorporated
4000 Research Forest Drive
The Woodlands, TX 77381



CONFIRMATION NO. 6630

FORMALITIES LETTER



OC000000007412703

Date Mailed: 02/04/2002

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Filing Date Granted

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a)

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52 because:
 - Papers contain improper margins. *Each sheet must have a left margin of at least 2.5 cm (1") and top, bottom and right margins of at least 2.0 cm (3/4")*
- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE